

**CENTRAL DUDLEY AREA COMMITTEE – 2<sup>ND</sup> SEPTEMBER 2004**

**REPORT OF THE DIRECTOR OF HOUSING**

**POLICE CHECKS**

1. Purpose of Report

- 1.1 To consider the Housing Directorate's policy in respect of police checks.

2. Background

- 2.1 A discussion took place in the Public Forum of this Area Committee on 7<sup>th</sup> July 2004 centering on anti-social behaviour. The outcome was that 'the Director of Housing be requested to submit a report ....on the possibility of providing a scheme in the Central Dudley Area similar to that previously provided in the Brierley Hill Area.' (draft July Minutes). The scheme referred to is operational at Chapel Street.

3. Police Checks

- 3.1 A system of police checks was introduced in Chapel Street, Brierley Hill in September 2000 with similar schemes being introduced into Claycroft Place, Stourbridge and Highfields, Halesowen. These schemes were introduced in partnership with the police and were specifically targeted to address the issue of drugs. These areas were experiencing disproportionate problems and needed additional resources and changed allocation practices to address them. The aim of the scheme was to exclude convicted drug users/suppliers and those convicted of drug related offences. To support the scheme, the police established bases at Chapel Street and Highfields.
- 3.2 A review of the schemes took place in January of this year involving our partner agencies including the Police, the Drug and Alcohol Action Team, the Youth Offending Team and Social Services.
- 3.3 The general consensus was that the police checks had achieved their aim in respect of the three areas, but that little research had been done to consider the displacement of those excluded or those who would not submit to a police check and consideration should be given to this in future monitoring.
- 3.4 Although accepting that exclusions had impacted on criminal activity, supporting agencies felt that the process was too arbitrary and asked that it be reviewed to take more account of the individual with particular reference made to those undergoing rehabilitation.
- 3.5 The police requested that checks be extended to Neighbourhood Management areas where they have Crime Fighting Teams and identified

Netherton (Arley/Compton), Pensnett and Enville Street, Stourbridge as priorities.

- 3.6 As a consequence of the review a Decision Sheet was completed (attached as Appendix 1). This approved the extension of police checks on a phased basis through 2004/05 to the priority areas identified by the police. The basis of exclusion will continue to centre on reducing drug activity/supply but with the final decision based on a comprehensive assessment including recommendations from appropriate agencies.
- 3.7 This partnership working contributes towards Section 17 of the Crime and Disorder Act 1998 “to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its areas”.
- 3.8 Regard also has to be given to the Homelessness Act 2002 and associated Statutory Instruments. In particular:-
- a) The Homelessness Act precludes blanket exclusion from the Housing waiting list. Police checks, as operational in Dudley, are aimed at excluding certain individuals from specific estates, they do not deny the individual access to social housing.
  - b) The Authority has a duty “to secure housing for 16 and 17 year olds and care leavers aged 18-20, and those who are vulnerable due to facing racist or domestic violence, leaving institutionalised care, prison or the armed forces”. The Audit Commission is to launch an investigation into lettings policies after uncovering evidence that certain vulnerable groups are being denied access to Social Housing. Ex-offenders have been highlighted as a group experiencing particular problems in securing accommodation on release from custody.

#### 4. Proposals

- 4.1 The Area Committee is advised that in agreement with our partner agencies, the system of police checks for drug related crime will be extended to Arley & Compton Courts, Netherton in the near future. This will operate in the same way as the scheme in Chapel Street, Brierley Hill.
- 4.2 It is not intended to apply police checks across the Dudley Central Area as this would be contrary to legislative requirements.

#### 5. Finance

- 5.1 The financial implications in respect of operating police checks are to be met from the existing resources of each agency involved.

#### 5. Legal Implications

- 5.1 Section 17 Crime and Disorder Act 1998 (see section 3.7).
- 5.2 Homelessness Act 2002 and Statutory Instruments (see section 3.8).
- 6. Equal Opportunities
- 6.1 This report in itself does not have any implications for the Council's Equal Opportunities Policy.
- 7. Recommendations
- 7.1 Note the contents of the report.
- 7.2 Request officers to present a further report on progress in respect of Arley/Compton Courts 6 months after the introduction of the Police Checks

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John Stringer, Director of Housing

Contact Officers: Diane Channings ext 5063 and Robert Murray ext 5050